

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

**TUESDAY
OCTOBER 21, 2014
8:00 A.M.**

PLANNING DEPARTMENT CONFERENCE ROOM

AGENDA

PRESENT:

___ JOE GILLIS, CHAIRMAN
___ LEN HOUSE, VICE CHAIRMAN
___ WILLIAM SULLIVAN, TREASURER
___ TODD RULISON, SECRETARY
___ JOSEPH SEMIONE, MEMBER
___ GEORGE BEVINGTON, MEMBER
___ DIANA PUTNAM, MEMBER
___ JAMES MRAZ, IDA EXECUTIVE DIRECTOR
___ KARA LAIS, FITZGERALD, MORRIS, BAKER, FIRTH PC
___ RON PETERS, FULTON COUNTY CENTER FOR REGIONAL GROWTH
___ WILLIAM WALDRON, LIAISON
___ LEADER HERALD

I. MINUTES FROM SEPTEMBER 10, 2014 MEETING:

MOTION :
MADE BY :
SECONDED :
VOTE :

II. BUDGET REPORT:

MOTION :
MADE BY :
SECONDED :
VOTE :

III. COMMITTEE REPORTS:

A. Nominating Committee:

- No report.

B. Audit Committee:

- No report.

C. Governance Committee:

- No report.

D. Finance Committee:

- No report.

IV. OLD BUSINESS:

A. Tryon Technology Park and Incubator Center Project:

1. Construction Project:

a. Phase I:

- All water, sewer and storm sewer lines have been installed.
- All waterlines have been charged and are being disinfected.
- Construction of new access road is ongoing.

b. Phase II:

- Phase II will consist of:
 1. The waterline coming from Hale Creek's elevated tank will be disconnected and rerouted onto Maloney Road.
 2. A new elevated tank and water pump station will be constructed and the existing tank and pumps abandoned.
- Fulton County filed a CFA in June requesting \$650,000 to perform this work. Fulton County is still waiting to hear on this grant application.
- Fulton County filed a Northern Borders Regional Commission Application requesting \$200,000 for this Phase II work. This application was not approved.

2. Building 3's HVAC System:

a. Background:

- The HVAC System in Building 3 was shut down in 2011 when the State closed Tryon.

- The IDA submitted an application to the Northern Borders Regional Commission for a grant to pay for the cost of repurposing space in Building 3 for FMCC to start a heating, ventilation, air conditioning, refrigeration trades program.
- Unfortunately, this grant application was not approved. This grant was going to pay for the cost of restarting the HVAC System in Building 3 and get it operational again.
- The goal was to have the system restarted this fall and made operational in anticipation of the startup of FMCC's Trades Program in the fall of 2015.
- However, now that the grant was not approved, the IDA Board has to decide whether it wants to proceed with restarting the Building 3's HVAC system using IDA funds.

b. Quotes Received to Restart HVAC System:

- RFQ was issued seeking quotes from contractors to restart Building 3's heating, cooling and ventilation systems.
- Quotes were received on September 17, 2014.
- Two (2) quotes were received:
 1. Poestler & Jackle : \$57,876
 2. Family Danz : \$66,452
- Each contractor offered an alternate bid to not remove and dispose of the glycol that was installed in the heating system:
 1. Poestler & Jackle : \$33,917
 2. Family Danz : \$54,511
- Each contractor was asked to provide a quote to provide a 1-year maintenance agreement:
 1. Poestler & Jackle : \$112,700
 2. Family Danz : \$20,470

c. Options Available to IDA Board:

- Given that the Northern Borders Regional Commission Grant was not approved, the grant funding the IDA was seeking to restart Building 3's HVAC System is not available.
- The Board has two (2) options:
 1. Restart the system using IDA funds to pay for this cost.
 2. Leave the HVAC System shut down for another winter season and try to get it restarted next year.

IDA DISCUSSION:

IDA ACTION:

MOTION:

MADE BY:

SECONDED:

VOTE:

3. Timber Harvesting Project:

a. Background:

- IDA Board authorized Advertising for Bids for a Timber Harvesting Project.
- Bid documents were distributed to over 60 logging companies.

b. Summary of Bids Received:

Firm	Location	Total Bid
Wightman Lumber	Portlandville, NY	\$112,549
Finch Paper	Glens Falls, NY	\$ 78,866

- Ken Hotopp recommends awarding a contract to Wightman Lumber in the amount of \$112,549.

c. Surplus Property:

- The IDA Board must declare the timber to be surplus and no longer needed for a public purpose.

IDA DISCUSSION:

IDA ACTION:

MOTION: To declare the timber to be sold as part of the Timber Harvesting Project to be surplus property and no longer needed for a public purpose.

MADE BY:

SECONDED:

VOTE:

MOTION: To authorize the IDA Chairman to execute an Agreement with Wightman Lumber of Portlandville, NY in the amount of \$112,549 for the Timber Harvesting Project at Tryon.

MADE BY:

SECONDED:

VOTE:

4. Property Insurance for Buildings 3 and 60:

a. Background:

- At its September 10, 2014 meeting, the IDA Board authorized a payment of \$17,453.50 for property insurance for Buildings 3 and 60.
- This payment was for the period of January 15, 2014 – August 30, 2014.

b. Insurance Coverage Provided:

- NYMIR is providing the following insurance coverages:

1) Building 3:

- Replacement Value : \$12,750,000
- Contents : \$ 10,000

2) Building 60:

- Replacement Value : \$ 2,301,800
- Contents : \$ 50,000

3) Pump Station:

- Building Limit : \$ 50,000

4) Deductible:

- Deductible : \$ 51,000

c. Invoice:

- IDA has received a new invoice for coverage for the period of September 1, 2014 – August 30, 2015
- This invoice is the 1st of two (2) installment payments. Total annual premium will be: \$19,573.28
- Total Premium for 1st Installment: \$9,786.64
- Jim Mraz has asked NYMIR if the replacement values for Buildings 3 and 60 could be lowered to reduce the insurance premium. NYMIR is reviewing this request and will respond shortly. If they say okay, revised replacement values will be established and a revised invoice prepared.
- It is recommended that authorization be given to pay the 1st installment in an amount to not exceed \$9,786.64. If NYMIR agreed to lower replacement values resulting in a lower premium, the IDA would then pay the lower premium.
- Once the IDA pays the invoice, it will seek reimbursement from Fulton County.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize a payment in the amount not-to-exceed \$9,786.64 to Mang Insurance Agency for property/liability insurance on Buildings 3 and 60 for the period of September 1, 2014 – August 30, 2015.

MADE BY:

SECONDED:

VOTE:

5. Internal Access Road:

a. Background:

- Jablonski Excavating is completing work on the new internal access road.
- Fulton County has agreed to take over ownership, operation and maintenance of this road as a new County Route 117.

b. Deed Transfer:

- C.T. Male is preparing a metes and bounds description and map to use to deed ownership of the road over to Fulton County.
- Authorization is needed for the Chairman to execute the documents necessary to complete this transfer.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize deeding over to Fulton County that land upon which the internal access road lies and to authorize the Chairman and IDA Counsel to execute the documents necessary.

MADE BY:

SECONDED:

VOTE:

6. Status Report on 2nd Auction:

- 2nd Auction will be held on Saturday, November 1, 2014 starting at 11:00 a.m.
- Interested bidders will be able to review all items to be sold on Friday, October 31, 2014 between 9:00 a.m. – 5:00 p.m.
- Items to be auctioned will be the contents in the remaining buildings.
- Adirondack Auction Sales will serve as the Auctioneer.
- Adirondack Auction Sales will conduct all advertising.

IDA DISCUSSION:

7. Work by Citizens In Community Services (CICS) Program:

a. Over past month, CICS Program provided workers to go to Tryon to:

- 1) Move contents from various buildings to Building 3 in anticipation of upcoming Auction.
- 2) Cut grass around Building 3.

b. These workers again did an excellent job.

IDA DISCUSSION:

8. Posting of IDA Property:

- Posted signs are being installed around perimeter of Tryon property.
- Posted signs on stakes will be installed every 660' along County Roads 107 and 158.
- Posted signs will be attached to trees every 660'+/- on north and west property lines.
- County Facilities Department was very helpful in preparing stakes, backer boards and stapling signs to backer boards.

IDA DISCUSSION:

9. Request for Expenses Reimbursement:

a. Purchase of Posted Signs:

- Executive Director incurred costs for purchasing Posted signs at Ace Hardware in Johnstown to install around Tryon property.
- Total Expenses: \$42.99

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize a payment of \$42.99 to the Executive Director.

MADE BY:

SECONDED:

VOTE:

B. Audit Proposals:

1. Background:

- At September 10, 2014 meeting, IDA Board authorized and directed the Executive Director to issue a Request for Proposals (RFP) to obtain cost proposals to provide audit services.
- An RFP was distributed on September 12, 2014 to seven (7) firms.
- Proposals were due by Friday, October 3, 2014.

2. Summary of Proposals Received:

- A total of four (4) proposals were received:

Firm	Location	Quote
Bryans & Gramuglia CPAs, LLC	Albany, NY	\$ 8,500
West & Company CPAs PC	Gloversville, NY	\$ 8,750
SaxBST LLP	Albany, NY	\$ 9,750
Philip Beckett CPA, P.C.	Gloversville, NY	\$ 13,600

3. It is recommended that the IDA retain West & Company to provide audit services in 2014.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize the Chairman to execute an Agreement with _____ in the amount of \$_____ to provide audit services for 2014.

MADE BY:

SECONDED:

VOTE:

V. NEW BUSINESS:

A. Review Proposed 2015 Budget:

	2013 ACTUAL	2014 BUDGET	PROPOSED 2015 BUDGET
<u>REVENUE:</u>			
Operating Revenues			
Administration Fee (CG Roxane)			\$ 400.00
Land Lease (Korona)			\$ 1,800.00
Sublease Fee (Yusen Logistics)			\$ 500.00
Charges for services	\$ -	\$ -	
Rental & financing income		\$ -	
Other operating revenues	\$ 10,712.00	\$ -	
Nonoperating Revenues			
Investment earnings	\$ 301.54	\$ 500.00	\$ 500.00
State/Federal subsidies/grants	\$ -	\$ -	
Municipal/Public authority subsidies/ grants	\$ -	\$ 50,000.00	\$ 50,000.00
- Fulton County*			
Other nonoperating revenues	\$ 40,370.14	\$ 56,900.00	\$ 43,725.00
Total Revenues	\$ 51,383.68	\$ 107,400.00	\$ 96,925.00
<u>EXPENDITURES:</u>			
Operating Expenditures			
Salaries and wages	\$ 19,787.06	\$ 22,400.00	\$ 23,072.00
Other employee benefits	\$ -	\$ -	\$ -
Professional services contracts	\$ 18,500.00	\$ 23,600.00	\$ 22,868.00
-West & Company	\$ 10,000.00	\$ 10,000.00	\$ 9,250.00
-FCCRG Marketing	\$ -	\$ 5,000.00	\$ 5,000.00
-Legal	\$ 8,000.00	\$ 8,000.00	\$ 8,000.00
-CFO	\$ 500.00	\$ 600.00	\$ 618.00
Supplies and materials	\$ -	\$ -	\$ -
Other operating expenditures	\$ 13,096.62	\$ 61,400.00	\$ 55,985.00
-Meetings	\$ 600.68	\$ 700.00	\$ 700.00
-NYSEDC Membership	\$ 750.00	\$ 500.00	\$ 750.00
-Town of Johnstown Fire Taxes			\$ 60.00
-Park Maintenance	\$ -	\$ -	\$ -
-Miscellaneous	\$ 553.94	\$ 200.00	\$ 200.00
-Tryon Technology Park Marketing Project	\$ 11,192.00	\$ -	\$ -
-Tryon: Labor		\$ 15,000.00	\$ -

-Tryon: Maintenance Contracts	\$	10,000.00	\$	15,000.00
HVAC				
Mowing				
-Tryon: Gas/Electric Usage	\$	10,000.00	\$	8,000.00
-Tryon: Property Maintenance Contracts	\$	5,000.00	\$	-
-Tryon: Building Repairs	\$	5,000.00	\$	2,000.00
-Tryon: Install New Door Locks	\$	3,000.00	\$	-
-Tryon: Water/Sewer Usage	\$	1,000.00	\$	3,000.00
-Tryon: Insurance	\$	1,000.00	\$	19,575.00
-Town of Perth Fire Taxes			\$	1,200.00
-Tryon: Reimbursable Expenses	\$	500.00	\$	250.00
-Tryon: Marketing/Capital	\$	9,500.00	\$	-
-Tryon: Miscellaneous			\$	250.00
Nonoperating Expenditures	\$	-	\$	-
Payment of principal on debt	\$	-	\$	-
Interest and other financing charges	\$	-	\$	-
Grants and donations	\$	-	\$	-
Other nonoperating expenditures	\$	-	\$	-
Total Expenditures	\$	51,383.68	\$	107,400.00
			\$	96,925.00

IDA DISCUSSION:

IDA ACTION:

MOTION: To adopt the 2015 Budget.

MADE BY:

SECONDED:

VOTE:

B. National Grid Grant:

1. Background:

- Fulton County and the Montgomery County IDA (MCIDA) are jointly pursuing getting the Regional Business Park site approved as an ESD certified shovel-ready site.
- Fulton County and the MCIDA have jointly hired the following firms to prepare various professional evaluations needed to gain ESD certification as a shovel-ready site:

Firm	Work	Total Cost
Ferguson & Foss	Topographic and Property Survey Work	\$ 17,500
MJ Engineering	Perform Engineering Studies	\$ 52,000
Plumley Engineering	Evaluate Feasibility of Railroad Spur	\$ 28,350
Hartgen	Prepare Phase I Archeological Report	\$ 1,130
Total		\$ 98,980

- Fulton County will be the contracting entity with each firm and pay the bills. Once it pays a bill, Fulton County will seek reimbursement from the MCIDA.

2. National Grid Grant:

- National Grid's Shovel-Ready Incentive Program offers grants to pay for engineering and planning studies needed to get a site certified by Empire State Development (ESD).
- The Fulton County IDA is an eligible applicant. National Grid advised to have the Fulton County IDA apply.
- The IDA would apply for the grant. If the grant was awarded, Fulton County would invoice the IDA for the amount of the grant.
- There would be no financial commitment or obligation to the IDA.

3. Three-Party Agreement:

- National Grid has advised that a 3-Party Agreement should be executed to verify how their grant funds, if approved, would be directed to.
- Draft Agreement has been prepared and was sent to Kara Lais for her review and approval.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize filing an application with National Grid seeking a \$49,490 grant from their Shovel-Ready Incentive Program.

MADE BY:

SECONDED:

VOTE:

MOTION: To authorize the IDA Chairman to execute a 3-party Agreement between Fulton County, the MCIDA and the FCIDA regarding how a National Grid grant, if approved, would be distributed.

MADE BY:

SECONDED:

VOTE:

C. Request from NYS Police:

1. Background:

- NYS Police has requested permission to use Tryon for tactical training.
- Training would not cause any disruptions to ongoing construction project or plans for Tryon.
- NYS Police would like permission to conduct an initial tactical training session on October 25, 2014.
- NYS Police's First Deputy Counsel has submitted letter to IDA explaining how State Police would be insured while on IDA property. Letter has been forwarded to Kara Lais for her review.

IDA DISCUSSION:

IDA ACTION:

MOTION:

MADE BY:

SECONDED:

VOTE:

VI. OTHER BUSINESS:

A. Executive Session:

1. Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, a public body may conduct an executive session for the below enumerated purposes only, provided, however, that no action by formal vote shall be taken to appropriate public moneys:
 - i. matters which will imperil the public safety if disclosed;
 - ii. any matter which may disclose the identity of a law enforcement agent or informer;
 - iii. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
 - iv. discussions regarding proposed, pending or current litigation;
 - v. collective negotiations pursuant to article fourteen of the civil service law;
 - vi. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
 - vii. the preparation, grading or administration of examinations;
 - viii. the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.**

MOTION: To go into Executive Session to discuss, “the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.”

MADE BY :
SECOND :
VOTE :
TIME :

MOTION : To go out of Executive Session.
MADE BY :
SECOND :
VOTE :
TIME :

VII. CLOSE MEETING:

MOTION :
MADE BY :
SECONDED :
VOTE :
TIME :